

## **PURPOSE\***

These Rules and Regulations are intended to implement and supplement the Subdivision Control Law, Sections 81-K through 81-GG of Chapter 41 of the General Laws.

"The Subdivision Control Law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a Planning Board and of a Board of Appeal under the Subdivision Control Law shall be exercised with due regard:

- for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel;
- for lessening congestion in such ways and in the adjacent public ways;
- for reducing danger to life and limb in the operation of motor vehicles;
- for securing safety in the case of fire, flood, panic and other emergencies;
- for ensuring compliance with the applicable zoning ordinances or by-laws;
- for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, and street lighting and other requirements where necessary in a subdivision; and
- for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions.

It is the intent of the Subdivision Control Law that any subdivision plan filed with the Planning Board shall receive the approval of such Board if said plan conforms to the recommendation of the Board of Health and to the reasonable rules and regulations of the Planning Board pertaining to subdivisions of land; provided, however, that such Board may, when appropriate, waive, as provided for in Section 81-R, such portions of the rules and regulations as is deemed advisable."

(M.G.L. Chapter 41 Section 81-M)

## SECTION 1

### AUTHORITY

Under the authority vested in the Planning Board of the Town of Wilbraham by Section 81-Q of Chapter 41 of the General Laws, the Planning Board hereby adopts these rules and regulations governing the subdivision of the land in the Town Wilbraham.

## SECTION 2

### GENERAL

#### 2.1

#### Definitions

##### 2.1.1\*

**Applicant (Developer, Subdivider).** The person (or persons) who applies for the approval of a plan within the meaning of the Subdivision Control Law. The Applicant must be the owner of the land referred to in the application filed with the Planning Board or all the owners where title is held jointly, in common, or in tenancy by the entirety, including corporations. In the case of a general or limited partnership, all general partners must join in the application and must submit documentation of the legal existence of the partnership and its authority to do business in Massachusetts. In the case of a trust, all trustees must join in the application and submit documentation of the legal existence of the trust and its authority to do business in Massachusetts. In the case of a corporation, the application shall be made by the President, shall have the corporate seal affixed, and shall be accompanied by a list of all officers and directors, plus documentation of the legal existence of the corporation and its authority to do business in Massachusetts. An agent, representative, or assignee may act for an owner, provided a properly executed power of attorney (or other acceptable written evidence of such fact) is submitted to the Board.

##### 2.1.2\*

**Preliminary Plan.** A plan of a proposed subdivision submitted for approval of the overall design by the Planning Board, Board of Health, Conservation Commission, Board of Water Commissioners, Fire Chief and the Sanitary Sewer Commission. (See Section 4.1)

##### 2.1.3\*

**Definitive Plan.** A plan of a proposed subdivision submitted for final approval by the Planning Board, Board of Health, Conservation Commission, Board of Water Commissioners, Fire Chief and the Sanitary Sewer Commission. (See Section 4.2)

##### 2.1.4\*

**Subdivision.** "Subdivision shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and, when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the Subdivision Control Law, if at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the clerk of the city or town certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective in the city or town in which the land lies, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by zoning or other ordinance or by-law if any, of said city or town for erection of a building on such lot, and if no distance is so required, such frontage shall be of at least twenty feet. Conveyances or other instruments adding to, taking away from, or changing the size and shape of, lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect in

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the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision." (M.G.L. Chapter 41 Section 81-L)

**2.1.5\***      **Engineer.**    A professional civil engineer registered in the Commonwealth of Massachusetts, whose chief professional discipline is civil engineering.

**2.1.6\***      **Surveyor.**    A professional surveyor registered in the Commonwealth of Massachusetts, whose chief professional discipline is land surveying.

**2.1.7\***      **Cul-de-sac (Dead-end Street)**    That portion of a street or series of streets which affords the exclusive legal means of access to abutting property and which must be entered and exited from the same point, said point being the junction with the nearest connector or through street. A continuous street or series of looping streets which has exclusive points of entry and exit within four hundred (400) feet of each other on the same street shall be functionally classified as a cul-de-sac.

**2.2**                      **Plan Believed Not to Require Approval Under the Subdivision Control Law (Nonsub Plan)**

**2.2.1**                      Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that the plan does not require approval under the Subdivision Control Law may submit the plan and application Form A (see Appendix B) to the Planning Board accompanied by the necessary evidence to show that the plan does not require approval. Said person shall file, by delivery or certified mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor.

If the Planning Board determines that the plan does not require approval, it shall without a public hearing and without unnecessary delay endorse on the plan the words "Approval under the Subdivision Control Law not required."

**2.2.2\***                      The Planning Board may add to such endorsement a statement of the reason approval is not required. The plan will be returned to the Applicant, and the Planning Board may notify the Town Clerk of its action.

**2.2.3\***                      If the Planning Board determines that the plan does require approval under the Subdivision Control Law, it will so inform the Applicant and return the plan. The Planning Board shall notify the Town Clerk of its action.

**2.2.4\***                      If the Planning Board fails to act upon a plan submitted under this section within twenty-one (21) days after its submission, it shall be deemed that approval under the Subdivision Control Law is not required.

**2.3\***                      **Subdivision**

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a definitive plan of such subdivision has been submitted, approved and endorsed by the Planning Board as hereinafter provided.

**SECTION 3                      GENERAL PROCEDURE GOVERNING SUBDIVISION OF LAND**

**3.0** The articles in this section outline in chronological order the steps in the subdivision of land, and give information pertinent to such subdivision.

**3.1 Preliminary Plan**

**3.1.1** It is strongly recommended that submission and approval of a preliminary plan as outlined below shall in all cases precede submission and approval of a definitive plan.

**3.1.2** An application Form B (see Appendix B) must be filed for each preliminary plan. This form is obtained from the Planning Office. (Also see Fee Schedule in Appendix A for application fee).

**3.1.3** Applicant shall submit one (1) copy of Form B to the Town Clerk, by delivery or by certified mail. If form is submitted by delivery, the Town Clerk shall, if requested, give a written receipt therefor.

**3.1.4\*** Applicant shall prepare six (6) copies of the preliminary plan.

**3.1.5\*** Applicant shall submit two (2) copies of the preliminary plan to the Planning Board and shall submit one (1) copy each to the Board of Health, Conservation Commission, Board of Water Commissioners and Fire Chief, and the Sanitary Sewer Commission.

**3.1.6\*** Within forty-five (45) days after submission of the preliminary plan, the Planning Board shall send notice by certified mail to the Applicant summarizing the findings of the Boards and Commissions. This notice shall approve the plan with or without modifications, or disapprove the plan. In the case of disapproval, reasons shall be given.

**3.1.7** A copy of the above notice shall be sent to the Town Clerk.

**3.1.8** Each preliminary plan and the definitive plan evolved therefrom shall be governed by the rules and regulations governing subdivision control in effect at the time of the submission of the preliminary plan, provided that the definitive plan is duly submitted within seven (7) months from the date on which the preliminary plan was submitted.

If the definitive plan is not submitted within this seven (7) month period, Planning Board approval of the preliminary plan shall be deemed cancelled.

**3.1.9** Preliminary plan approval does not constitute approval of a subdivision.

**3.2 Definitive Plan**

**3.2.1** An application Form C (see Appendix B) must be filed for each definitive plan. This form is obtained from the Planning Office.

**3.2.2** Applicant shall submit this form with the definitive plan accompanied by an application fee, as specified in Appendix A, to the Planning Board. Extraordinary expense to the Town in excess of this fee shall be paid before approval is granted.

**3.2.3** Applicant shall submit one (1) copy of Form C to the Town Clerk, by delivery or by certified mail. If form is submitted by delivery, the Town Clerk shall, if requested given a written receipt therefor.

**3.2.4\*** Applicant shall prepare six (6) copies of the definitive plan.

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- 3.2.5\*** Applicant shall submit two (2) copies of the definitive plan to the Planning Board, and shall submit one (1) copy each to the Board of Health, Conservation Commission, Board of Water Commissioners and Fire Chief, and the Sanitary Sewer Commission.
- 3.2.6\*** The definitive plan must be submitted and on file in the Planning Board office at least three (3) weeks before the Planning Board will set a date for a public hearing.
- 3.2.7** Notice of a public hearing shall be given by the Planning Board by advertisement in a newspaper of general circulation in the Town once (1) in each of two (2) successive weeks, the first publication being not less than fourteen (14) days before the day of such hearing. A copy of this advertisement shall be mailed to the Applicant and to each abutter.

### **3.3 Public Hearing on Definitive Plan**

**3.3.1** The public hearing shall be held in the office of the Planning Board unless otherwise specified. At the first session the Applicant shall present the plan and the public may comment on the plan.

**3.3.2\*** The public hearing may be adjourned by the Planning Board to the site of the proposed subdivision.

**3.3.2.1** The Subdivider shall stake out the center line of each proposed street and any other features that the Planning Board may require.

**3.3.2.2** The stakes shall be maintained by the Subdivider until the Planning Board has reached a decision.

**3.3.3** The Applicant and his/her engineer shall attend the public hearing.

### **3.4 Approvals of Definitive Plan**

#### **3.4.1 Board of Health**

Within forty-five (45) days after submission of a definitive plan, the Board of Health shall send written notice to the Planning Board of its approval or disapproval of the plan. In the case of disapproval, the Board of Health shall specify which lots on the plan cannot be used as building sites without injury to the public health, shall state its reasons and where possible make recommendations for adjustment. Failure to send such notice within the forty-five (45) day period shall be deemed approval by the Board of Health.

#### **3.4.2 Board of Water Commissioners**

The Board of Water Commissioners shall be requested to send written notice to the Planning Board of its approval or disapproval of the plan within forty-five (45) days after submission of a definitive plan. In the case of disapproval, the Board of Water Commissioners shall be requested to state its reasons and make recommendations for adjustment. Failure to send such notice within the forty-five (45) day period shall be deemed approval by the Board of Water Commissioners.

#### **3.4.3\* Sanitary Sewer Commission**

The Sanitary Sewer Commission shall be requested to send written notice to the Planning Board of its approval or disapproval of the plan within forty-five (45) days after submission of definitive plan. In the case of disapproval, the Sanitary Sewer Commission shall be requested to state its reasons and make recommendations for adjustment. Failure to send such notice within the forty-five (45) day period shall be deemed approval by the Sanitary Sewer Commission.

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**3.4.4\*****Conservation Commission**

The Conservation Commission shall be requested to send written notice to the Planning Board of its approval or disapproval of the plan within forty-five (45) days after submission of definitive plan. In the case of disapproval, the Conservation Commission shall be requested to state its reasons and make recommendations for adjustment. Failure to send such notice within the forty-five (45) day period shall be deemed approval by the Conservation Commission.

**3.4.5\*****Planning Board**

Within ninety (90) days after submission of a definitive plan which evolved from a preliminary plan, or one hundred and thirty-five (135) days after submission of a definitive plan which did not evolve from a preliminary plan, the Planning Board shall summarize the findings of the various municipal departments, boards, and agencies and shall certify by majority vote whether said application has been approved, approved with modifications, or disapproved. In the case of disapproval, reasons shall be given. The certificate of action including any conditions of approval, waivers granted, or specific reasons for disapproval shall be filed with the Town Clerk, and shall be sent by certified mail to the Applicant. Failure of the Planning Board to take action or to file a certificate of its action with the Town Clerk within the above referenced review period, or such further time as may be mutually agreed upon in writing by the Planning Board and the Applicant, shall be deemed approval of the definitive plan.

**3.4.5.1\*****Preparation of Legal Documents**

Prior to plan endorsement, the Planning Board may require a subdivision agreement or contract between the Subdivider and the Planning Board which describes any conditions or restrictions of approval. Under normal circumstances, the Planning Board and its staff shall be responsible for the preparation of the Subdivision Agreement and related attachments to that Agreement including deeds, easements and special agreements. A copy of the standard forms used by the Planning Board can be obtained from the Planning Office. The Subdivider may be assessed a fee to cover the cost incurred for the preparation of legal documents as specified in Appendix A.

**3.4.6\*****Endorsement**

After approval of the definitive plan containing those elements described in Section 4.2, Applicant shall submit an original inked linen or polyester film (mylar) tracing and two (2) additional polyester film (mylar) reproducible copies. The Planning Board shall endorse the originals and the two (2) reproducible copies. One (1) reproducible copy shall be returned to the Applicant. The Applicant shall then return to the Planning Board seven (7) copies of the endorsed drawings and one (1) aperture card in a form approved by the Planning Board.

**3.4.7\*****Commencement of Work**

No work in a subdivision shall be commenced prior to the endorsement of the definitive plan and the filing of this plan and the required legal documents in the Hampden County Registry of Deeds or the Hampden County Land Registration Office in the proper manner.

**3.5****Security of Construction****3.5.1\***

"Before endorsement of its approval of a plan, a Planning Board shall require that the construction of ways and the installation of municipal services be secured by one, or in

part by one and in part by the other, of the methods described in the following clauses (a) and (b), which method may be selected and from time to time varied by the Applicant:

- (a)** By a proper bond or a deposit of money or negotiable securities, sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of municipal services required for lots in the subdivision shown on the plan, and the Planning Board may require that the time be specified within such construction and installation shall be completed.
- (b)** By a covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed; provided, that a mortgagee who acquires title to mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to that portion of the covenant which provides that no lot shall be built upon until such ways and services have been provided to serve such lot; and provide further, that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board. A deed of any part of the subdivision in violation hereof shall be voidable by the grantee prior to the release of the covenant but not later than three (3) years from the date of such deed.

Any covenant given under the preceding paragraph and any condition required by the Health Board or Officer shall be either inscribed on the plan or contained in a separate document, referred to on the plan." (M.G.L. Chapter 41 Section 81-U)

**3.5.2\*** The penal sum of any such bond, or the amount of any deposit held under clause 3.5.1(a) above, may, from time to time, be reduced by the Planning Board and the obligations of the parties thereto released by said Board in whole or in part.

**3.5.3\*** "Upon the completion of the construction of ways and the installation of municipal services in accordance with the rules and regulations of the Planning Board, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the Applicant shall send by registered mail to the City or Town Clerk and the Planning Board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been given has been completed in accordance with said rules and regulations, such statement to contain the address of the Applicant. If the Planning Board determines that said construction or installation has been completed, it shall release the interest of the Town in such bond and return the bond or the deposit to the person who furnished the same, or release the covenant by appropriate instrument, duly acknowledged, which may be recorded.

If the Board determines that said construction or installation has not been completed, it shall specify in a notice sent by registered mail to the Applicant and to the Clerk of the city or town the details wherein said construction or installation fails to comply with its rules and regulations and upon failure so to do within forty-five (45) days after the receipt by said Clerk of said statement all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void. In the event that said forty-five (45) day period expires without such specifications, or without the release and return of the bond or return of the deposit or release of the covenant as aforesaid, the said Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded." (M.G.L. Chapter 41 Section 81-U)

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"Any such bond may be enforced and any such deposit may be applied by the Planning Board for the benefit of such city or town, as provided in Section 81-Y, upon failure of the performance for which any such bond or deposit was given to the extent of the reasonable cost to such city or town of completing such construction and installation." (M.G.L. Chapter 41 Section 81-U)

- 3.5.4\*** The Applicant shall maintain the completed road (roadway) surface, drainage construction, berms, trees and other installations required under these "Wilbraham Planning Board Rules and Regulations Governing the Subdivision of Land" in the same good condition as initially required by the specifications until the expiration of one (1) year after the Annual Town Meeting next following the issuance of the letter indicating compliance by the Planning Board.

At the time of release of the construction bond, deposit or covenant, the Applicant shall give a bond to the Planning Board as a security bond for this maintenance in the amount of ten (10) percent of the original cost of the bonding.

**3.6\* Proceedings of Planning Board Pertaining to Streets**

- 3.6.1\*** The endorsement of approval on a plan by the Planning Board does not make any street shown thereon an "accepted street" or a "public way". Laws of the Commonwealth and the Town of Wilbraham must be complied with before a street becomes an "accepted street" or a "public way".

**3.7 Expenses**

All expenses incurred for plans, surveys, advertisements for hearings and inspections shall be paid by the Applicant.

**3.8 Waiver of Rules and Regulations**

Strict compliance with the requirements of these rules and regulations may be waived when, in the judgement of the Planning Board, such action is in the public interest and consistent with the intent of the Subdivision Control Law.

**3.9 Inspection**

**3.9.1 Requirements**

Inspections shall be performed where required in these rules and regulations, and in other cases as required by the Planning Board.

- 3.9.1.1** The Planning Board will not approve a plan of a subdivision after construction of the streets unless all inspections have been performed as specified in these rules and regulations.

**3.9.2 Agency**

- 3.9.2.1** All inspections shall be made by an agency appointed by the Planning Board.

- 3.9.2.2** The Subdivider shall request all inspections in the proper sequence and with sufficient time to allow for the scheduling of the inspection.

**3.9.3 Cost of Inspection**

- 3.9.3.1** The Subdivider shall assume all costs incurred for all inspections.

**3.9.3.2\*** If the Planning Board requires that inspections be made by the Town Engineer, the Subdivider shall pay to the Town of Wilbraham an inspection fee per linear foot of road measured along the center line as specified in Appendix A. The total inspection fee shall be paid to the Town prior to the endorsement of the definitive plan.

Separate fees may also be assessed by the Board of Water Commissioners and the Sanitary Sewer Commission.

**3.9.4** **Obligations of Subdivider**

**3.9.4.1** Inspection of the work does not relieve the Subdivider of any of its obligations to fulfill the requirements of the Planning Board Rules and Regulations as herein specified.

**3.9.4.2** Failure by the inspection agency to reject any defective work or materials shall not in any way prevent later rejection if any defect is discovered, or obligate the Planning Board to make final acceptance.

**3.9.4.3** The Subdivider shall at all times comply with the directions of the inspection agency.

**3.9.5** **Stop Work Order**

**3.9.5.1** All orders of the inspection agency requiring correction of work under these rules and regulations shall be promptly carried out. Failure to comply promptly with such orders will be cause for the inspection agency to issue a stop work order.

**3.9.5.2** After a stop work order has been issued, no further work shall be done until the Planning Board issues a written order to continue.

**3.10** **Other Requirements**

**3.10.1\*** The Subdivider shall comply with all rules and regulations and orders of conditions of the Board of Health, the Board of Water Commissioners, the Sanitary Sewer Commission, the Conservation Commission and all other agencies having jurisdiction.

**3.10.2\*** No occupancy permit shall be issued until after installation and approval of drainage and binder course (see Section 5.6.5).

**3.11** **Rescission of Approval**

Failure on the part of the Subdivider to meet any of these rules and regulations may result in an action by the Planning Board rescinding its approval of the subdivision plans.

**3.12\*** **Town Water**

All subdivisions shall provide for connection to the Town water system under the following conditions:

**3.12.1\*** Where water is available.

**3.12.2** Where water is not available but the Board of Water Commissioners in its sole judgement determines that it is economically feasible and advisable for the Town to make water available and it can be done without unreasonable delay to construction of buildings in the subdivision.

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**3.12.3\*** All other subdivisions shall have capped mains unless otherwise waived by the Planning Board.

**3.13\* Town Sanitary Sewers**

All subdivisions shall connect to the Town sanitary sewer system where this system is available. All other subdivisions shall have capped mains except in the R-60 Residence District, or where waived by the Planning Board.

**3.14\* Fire Protection**

Provision shall be made for fire protection in the subdivision. The Applicant shall review plans for fire protection with the Wilbraham Fire Chief as to the method of providing adequate fire protection. A subdivision plan shall be approved only upon presentation of evidence to the Planning Board that adequate provisions for fire protection have been made.

**3.15\* Enforcement**

The enforcement of the provisions of these Rules and Regulations, or any approval or condition of approval granted by the Planning Board under the provisions of these Regulations, may be enforced by the Chairman of the Planning Board or the Planning Administrator, acting as Agent to the Planning Board, by non-criminal complaint pursuant to the provisions of Chapter 40, Section 21D of the Massachusetts General Laws, as amended. The fine for any violation disposed of through this procedure shall be one hundred dollars (\$100.00) for each offense. Each day such violation continues shall be deemed a separate offense and each provision of the Rules and Regulations or subdivision approval that is violated shall constitute a separate offense.

**SECTION 4 SPECIFICATIONS FOR PREPARATION OF PLANS**

**4.1 Preliminary Plan**

**4.1.0\* Preliminary Plan Requirements**

The preliminary plan is tentative in nature and does not require all of the detailed information required for subdividing land. The preliminary plan shall consist of a topographic plan, a standard Town section map and an individual sanitary sewage disposal report as specified in Section 4.2.5.

**4.1.1 Plan Sheet Size**

Sheet size shall be 24" x 36".

**4.1.2 Plan Drawing Scales**

Drawing scales shall be as follows:

**4.1.2.1** Topographic plan not smaller than 1" = 80'.

**4.1.2.2** The standard Town section map is drawn to a scale of 1" = 400'.

#### **4.1.3            Topographic Plan**

The topographic plan shall show:

- 4.1.3.1**            Subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan".
- 4.1.3.2**            Names of the record owner and the Applicant, and the name of the engineer or surveyor.
- 4.1.3.3**            Names of all abutters, as determined from the most recent local tax list.
- 4.1.3.4**            Existing and proposed lines of streets, ways, easements and public areas in the subdivision in a general manner.
- 4.1.3.5**            Proposed system of drainage including adjacent existing natural waterways with direction of flow in a general manner.
- 4.1.3.6\***            Proposed water and sewerage systems in a general manner.
- 4.1.3.7**            Approximate boundary lines of proposed lots, with approximate areas and dimensions.
- 4.1.3.8**            Names, approximate location and widths of adjacent streets.
- 4.1.3.9**            Proposed street grade. Where the terrain is sufficiently uneven, the Planning Board may require information on proposed street grades so that consideration may be given to them at the time of submission of the preliminary plan.
- 4.1.3.10**           All existing buildings.
- 4.1.3.11**           Present wooded areas indicated by a "foliage line".
- 4.1.3.12**           Existing contours at ten (10) foot intervals. United States Coast and Geodetic Survey Maps may be used as a basis.
- 4.1.3.13\***           Flood plain zone lines.
- 4.1.3.14\***           Each revision on the plan shall be dated and described in a subnote thereon.

#### **4.1.4            Standard Town Section Map**

On the standard Town section map, the proposed street layout and connections of water, sewer and underground utilities to existing services shall be shown in red in a general manner.

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## **4.2 Definitive Plan**

### **4.2.0 Definitive Plan Requirements**

The definitive plan shall consist of the following:

- 4.2.0.1** An individual sanitary sewage disposal report. (\* see section 4.2.5; all reports and drawings shall be certified by a registered engineer with his/her official seal affixed thereto.)
- 4.2.0.2** Storm water drainage information. (\* see section 5.10; all reports and drawings shall be certified by a registered engineer with his/her official seal affixed thereto.)
- 4.2.0.3** Plot plan drawings. (\* see section 4.2.3; all drawings shall be certified by a registered land surveyor with his/her official seal affixed thereto.)
- 4.2.0.4** Topographic plan-profile drawings. (\* see section 4.2.4; all drawings shall be certified by a registered land surveyor and a registered engineer with their official seals affixed thereto.)
- 4.2.0.5** Standard Town section map or maps. (\* all drawings shall be certified by a registered land surveyor with his/her official seal affixed thereto.)
- 4.2.0.6\*** A grade plan as required herein. (\* see section 5.17; all reports and drawings shall be certified by a registered engineer with his/her official seal affixed thereto.)

### **4.2.1 Plan Sheet Size**

Sheet size shall be 24" x 36".

### **4.2.2 Plan Drawing Scales**

Drawing scales shall be as follows:

- 4.2.2.1** Plot plan not smaller than 1"=80'.
- 4.2.2.2\*** Topographic plan portion of plan-profile 1"=40' and two (2) foot contour intervals.
- 4.2.2.3** Profile portion of plan-profile 1"=4'.
- 4.2.2.4** The standard Town section map is drawn to scale of 1"=400'.

### **4.2.3 Definitive Plot Plan**

The definitive plot plan shall show:

- 4.2.3.1** Subdivision name, boundaries, north point, date, scale, legend and title. Approval box shall be standard, as shown in Appendix E.
- 4.2.3.2** Names of the record owner and the Applicant and the name of the engineer or surveyor.
- 4.2.3.3** Names of all abutters, as determined from the most recent local tax list.
- 4.2.3.4** Lot numbers in sequence, with the area of each lot expressed in square feet.

- 4.2.3.5** Lengths and locations of all lot lines, with angles or bearings to shown directions of all lines.
- 4.2.3.6** Dimensions and locations of streets, ways, easements and public areas in the subdivision, with indicated purposes of easements.
- 4.2.3.7** Existing buildings which must comply with setback or side yard requirements on proposed streets.
- 4.2.3.8\*** Locations of stone bounds and iron pins.
- 4.2.3.8.1\*** Stone bounds are required at all intersections of street lines, angle points and changes in curvature of street lines.
- Stone bounds shall be provided on the perimeter at all control points clearly defining all spaces which are to be used, or can be used in the future, for public ways or public usage and for all spaces under common ownership.
- A stone bound shall also be provided at the center control point of all permanent cul-de-sacs.
- 4.2.3.8.2\*** All lot lines shall be defined by iron pins and in addition all easements traversing any lot shall be defined by iron pins.
- 4.2.3.9** Names of proposed streets. Names shall be permanently placed on plan only after approval by the Planning Board.
- 4.2.3.10** Permanent open space, where appropriate.
- 4.2.3.11\*** Flood plain zone lines.
- 4.2.3.12\*** Each revision on the plan shall be dated and described in a subnote thereon.
- 4.2.3.13\*** All plans shall comply with the current Hampden County Registry of Deeds and Land Court rules prescribing requirements for the recording of plans.
- 4.2.4** **Topographic Plan And Profile Drawing**
- A topographic plan and profile drawing shall be submitted on plan-profile paper for each street on the definitive plan. Each plan and profile shall show:
- 4.2.4.1** Subdivision name, boundaries, north point, date, scale, legend and title. Approval box shall be standard, as shown in Appendix E.
- 4.2.4.2** Layout of streets in sections coordinated by stations with the profile. Center line stationing shall be taken at maximum intervals of fifty (50) feet.
- 4.2.4.3** Street plan showing roadways, drainage and partial lot lines with numbers.
- 4.2.4.4** Permanent or temporary bench marks.
- 4.2.4.5** Profile of roadway showing existing and finished grades. Roadway profile will show all tangent grades and all vertical curve information. Elevations of proposed roadway will be shown every fifty (50) feet.
- 4.2.4.6** Street line bearings, distances, curve data and intersections with existing street lines.
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**4.2.4.7\*** Construction details, including all pertinent dimensions, grades and elevations for the Town water supply, storm and sewer drainage, telephone, electric and gas services, also locations for present and future street lighting fixtures.

Profile shall show all structures, drainage and sewer lines between structures and elevations of inverts and tops of frames and grates. Drainage and sewer lines shall be identified by size, type, and percent of grade. All structures shall be numbered.

**4.2.4.8** Where any storm drainage line discharges into an existing brook, sufficient profile of this brook will be shown to determine conditions.

**4.2.4.9** When more than one sheet is required, a key map of the entire subdivision shall be included on each sheet.

**4.2.4.10** Finished land contours at intervals to be specified by the Planning Board. Where land cuts or fills are significant, contours at less than ten (10) foot intervals may be required to adequately describe the topography in the subdivision.

**4.2.4.11** Permanent open space, where appropriate.

**4.2.5\* Individual Sanitary Sewage Disposal Report**

Where individual sanitary sewer disposal systems are proposed, the definitive plan shall be accompanied by a Sanitary Report prepared by an Engineer. This report will demonstrate the feasibility of the proposed individual systems. Three (3) copies of the report must be submitted with the engineer's seal of certification. The report should deal with the area as a whole, discussing the following points:

- a. The general nature and development of surrounding area.
- b. Topography and natural drainage pattern.
- c. Sub-surface conditions as shown by sub-surface investigations including soil absorption characteristics, ground level conditions, ledge rock, and general nature of soil.
- d. Special precautions that may be necessary to provide proper functioning of the proposed disposal systems.
- e. Map of general area with locations (approximate) of all tests shown on proposed lot layouts.
- f. Flood heights of nearby streams, brooks, or rivers.

The report shall contain test results and engineering evaluations of test results based on an extensive sub-surface investigation. Since the principal purpose of the Sanitary Report is to demonstrate the feasibility of the ground for sub-surface disposal of septic tank wastes, emphasis must be placed on the analysis and interpretation of test results and other observations by the Engineer.

The report shall contain a statement by the Engineer that, in his/her professional opinion, the area is suitable for the installation of individual sanitary sewage disposal systems of the general type and size as indicated in the Commonwealth of Massachusetts Department of Environmental Protection Environmental Code Title V.

**4.2.6\* Requirements for Attachment to Public Sewerage System**

All buildings are to have sanitary sewer connections except where sewers are not required.

## **SECTION 5      DESIGN SPECIFICATIONS**

### **5.1\*           Streets**

#### **5.1.1           Location and Alignment**

- 5.1.1.1\***      All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel. Due consideration shall also be given by the Subdivider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision. Straight lengths of a street in a subdivision shall not be longer than one thousand (1,000) feet unless waived by the Planning Board.
- 5.1.1.2**      The proposed streets shall conform, so far as practicable, to the Master Plan as adopted in whole or in part by the Planning Board.
- 5.1.1.3**      Provision satisfactory to the Planning Board shall be made for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- 5.1.1.4**      Reserve strips prohibiting access to streets or adjoining property shall not be permitted except where, in the opinion of the Planning Board, such strips are in the public interest.
- 5.1.1.5**      Street jogs with center line offsets of less than one hundred and twenty-five (125) feet should be avoided.
- 5.1.1.6**      The minimum center line radii of curved streets shall be one hundred (100) feet. Greater radii may be required for principal streets, or to provide adequate sight distance.
- 5.1.1.7**      Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty (60) degrees.
- 5.1.1.8**      Property lines at street intersections shall be rounded or cut back to a radius of not less than twenty-five (25) feet.

#### **5.1.2           Width**

The minimum width of the street right-of-way shall be sixty (60) feet for a principal street and fifty (50) feet for a secondary street. Greater width may be required where deemed necessary by the Planning Board.

#### **5.1.3           Grade**

- 5.1.3.1\***      Street grade shall be not less than one-half of one percent (0.5%). Grade shall not be more than six percent (6%) for a principal street nor more than eight percent (8%) for a secondary street.
- 5.1.3.2**      Where the grade of a street at the approach to an intersection exceeds six percent (6%), a levelling area of not greater than three percent (3%) grade shall be provided for at least thirty-five (35) feet, measured from the nearest edge of the paved surface of the intersecting roadway.

#### **5.1.4           Dead-end Streets**

- 5.1.4.1\***      Dead-end streets shall not be longer than seven hundred and fifty (750) feet, unless, in the opinion of the Planning Board, a greater length is necessitated by topography or other local conditions.
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**5.1.4.2\*** Dead-end streets shall be provided at the closed end with a turn-around having a central island of fifty-two (52) foot diameter and having an outside roadway diameter of at least one hundred (100) feet, and a property line diameter of at least one hundred thirty (130) feet or other approved terminus, as shown in Appendix E.

**5.1.4.3\*** Such central island shall be planted in accordance with a planting plan shown in Appendix E or as otherwise approved by the Planning Board.

**5.1.5\*      Access to Adjacent Communities**

No subdivision plan shall be approved where the roads are designed so as to provide the exclusive legal access to building lots in an adjacent city or town. Subdivision roads shall not be designed to provide access to adjoining property in another community unless said road will connect with a subdivision road in the adjacent community which has adequate through access to principal streets of that community.

Conversely, no subdivision plan shall be approved where the exclusive access to the subdivision is from an adjacent community.

**5.2              Deeds and Easements**

**5.2.1** Easements for utilities or storm drainage across lots or along rear or side lot lines shall be provided where necessary and shall be at least twenty (20) feet wide.

**5.2.2** A written easement for each street right-of-way shall be submitted and approved by Town Counsel before final endorsement of a definitive plan by the Planning Board.

**5.2.3\*** Where a subdivision is traversed by a watercourse, drainage way, channel or stream, or a wetland exists, space shall be reserved of a width sufficient to carry a flow equal to a fifty (50) year storm at such levels to prevent the hazard of flooding habitable structures. The Planning Board shall require that there be provided a storm water easement or drainage right-of-way of adequate width to conform substantially to the lines of such watercourse, drainage way, channel or stream, and to provide for construction of any safety devices or structures required in the interest of public safety. Any changes in the existing streams shall be subject to the approval of the Planning Board and the Conservation Commission.

**5.2.4\*** Any such land that is included in the reserved space shall not be built upon in a manner so as to restrict a fifty (50) year storm level flowage nor shall any habitable structure be built therein.

**5.3\*              Open Space**

Before approval of a plan, the Planning Board may, in proper case, require the plan to show a park or parks suitably located for playground or recreation purposes. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of the land.

Any open space, park or playground shall be provided with appropriate frontage on a street, and pedestrian ways will normally be required to provide access from each of the surrounding streets, if any, on which the open space, park or playground has no frontage. Further, such parks and/or playgrounds may be required to have maintenance provided for by covenants and agreements acceptable to the Planning Board until public acquisition is accomplished.

**5.3.1\*** Open space shall be that space reserved from development under the provisions of Sections 1.3, 4.6 and 4.7 of the Zoning By-Laws of the Town of Wilbraham.

**5.3.2\*** Such open space shall remain in its natural state, be used for park, playground or recreational purposes, or other similar public purposes.

**5.3.3** If the Town is required to expend any monies to remove loam or other earthen materials or building materials, which are placed on Town property by the Developer, the Developer shall reimburse the Town and the bond may be used as security.

**5.4\*** **Protection of Natural Features**

Natural features, including significant trees, watercourses, ledge rock, ridge tops, and scenic and historic sites shall be preserved. Any demolition, destruction, or significant modifications of such natural features will be permitted only where there is no reasonable alternative, and then only on written approval of the Planning Board. Suitable performance bonding may be required.

**5.5\*** **Stone Bounds and Iron Pins**

**5.5.1\*** Stone bounds shall be set at points as shown on the definitive subdivision plan and the street plan and profile.

**5.5.2\*** Bounds shall be set level with finished grade.

**5.5.3\*** Bounds shall not be less than four (4) feet in length and not less than four (4) inches in width and breadth, and shall have a drill hole in the center. Wrought iron rods may be used where points fall on exposed ledge.

**5.5.4\*** When all the stone bounds or iron pins are installed, the surveyor will certify by letter to the Planning Board that all the stone bounds or iron pins have been installed according to the approved plans.

**5.6** **Road Specifications**

The Subdivider shall construct all streets on the plan according to the following specifications:

**5.6.1\*** **Traveled Way**

The minimum width of the traveled way shall be thirty (30) feet for a principal street and twenty-eight (28) feet for a secondary street. Greater or lesser width may be required where deemed necessary by the Planning Board.

**5.6.2** **Clearing**

**5.6.2.1** No clearing shall be started on any part of the street until the Planning Board has designated in writing, those trees which are to remain in the tree belt.

**5.6.2.2** The Subdivider shall notify the Planning Board when the street has been staked out and is ready for the Planning Board to designate those trees which are to remain.

**5.6.2.3** If there are not enough existing trees to meet the below requirements, additional trees shall be planted at the expense of the Subdivider until these requirements are met.

**5.6.3** **Sub-base**

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**5.6.3.1**                    **Description**

The sub-base shall consist of that material directly under and supporting the gravel base.

**5.6.3.2**                    The sub-base shall contain no loam, soft yielding material, clay, rock, or any other unsuitable material. All unsuitable material shall be removed and replaced with gravel. The gravel shall consist of hard durable stone and coarse sand practically free from loam and clay and containing no stone having any dimension greater than six (6) inches. The grading of the gravel shall conform to the following requirements:

<b><u>Sieve</u></b>	<b><u>Passing</u></b>
1/2"	50% - 85%
3/8"	45% - 80%
#4	40% - 75%
#10	30% - 60%
#40	10% - 35%
#200	0% - 10%

**5.6.3.3**                    Prior written approval of the source of gravel for the sub-base is required. The Planning Board if requested will furnish a list of approved gravel pits, or will approve any gravel pit with a suitable grade of gravel upon request.

**5.6.3.4**                    The depth of the sub-base shall be as specified by the Planning Board, governed by existing conditions. The width of the sub-base, measured at the finished grade shall be thirty-four (34) feet.

**5.6.3.5**                    The gravel shall be spread uniformly with the larger stones at the bottom of the sub-base, but with no segregation of the large or fine particles. Where the depth of the sub-base is greater than eight (8) inches, the gravel shall be spread and compacted in two (2) or more layers not exceeding eight (8) inches in depth.

**5.6.3.6**                    Any stones with a dimension greater than as specified above shall be removed from the sub-base before the sub-base is rolled.

**5.6.3.7**                    Rolling shall be done with a self-propelled roller weighing not less than twelve (12) tons and shall continue until a firm, even surface, true to the lines and grades, is obtained. Any gravel, which after being rolled, does not form a satisfactory, solid, stable foundation, shall be removed and replaced before proceeding with the gravel base course.

**5.6.3.8**                    The grading of the sub-base for the area on which the gravel base is to be laid shall be finished at the required depth below and parallel to the proposed pavement surface, thus grading the sub-base with the same crown as the finished paving.

**5.6.3.9**                    The side slopes shall be as specified by the Planning Board.

**5.6.3.10**                    **Inspection**

**5.6.3.10.1**                No work shall be performed on the sub-base without the presence or approval of a duly appointed representative of the Planning Board.

**5.6.3.10.2**                No work shall be performed on the gravel base until the sub-base has been inspected by a duly appointed representative of the Planning Board and written approval of the sub-base has been received by the Subdivider.

**5.6.4                    Gravel Base Course**

**5.6.4.1                Description**

The gravel base course shall consist of not less than twelve (12) inches of compacted gravel placed upon the sub-base or sub-grade.

**5.6.4.2**                The gravel shall conform to the sub-base as specified under 5.6.3.2, except that it shall contain no stone having any dimension greater than two and one-half (2.5) inches.

The top four (4) inches shall be selected gravel or processed gravel which shall pass a two (2) inch screen.

**5.6.4.3**                The placement of the gravel shall be so as to conform to the specifications for placement of gravel sub-base under 5.6.3.5 through 5.6.3.8.

**5.6.4.4**                The grading of the base for the area on which the pavement is to be laid shall be finished at the required depth below and parallel to the proposed pavement surface, thus grading the gravel base course with the same crown as the finished paving.

**5.6.4.5**                The width of the base course shall be thirty-four (34) feet.

**5.6.4.6                Inspections**

**5.6.4.6.1**            No work shall be performed on the gravel base course without the presence or approval of a duly appointed representative of the Planning Board.

**5.6.4.6.2\***           No work shall be performed on the binder course until the gravel base has been inspected by a duly appointed representative of the Planning Board and written approval of the gravel base has been received by the Subdivider.

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**5.6.5\***                    **Binder and Finished Courses**

**5.6.5.1\***                No paving work shall be performed on the binder or finished courses without the presence or approval of a duly appointed representative of the Planning Board.

**5.6.5.2\***                The binder and finished courses shall be composed of mineral aggregate, mineral filler, and bituminous material, plant mixed and laid hot to a minimum depth of two (2) inches and one and one-half (1.5) inches, respectively. Neither the binder nor finished courses shall be laid until the surface upon which it is to be laid has been inspected and approved in writing by a duly appointed representative of the Planning Board.

**5.6.5.3\***                All road paving shall conform to the specifications of the "Commonwealth of Massachusetts, Department of Public Works, Standard Specifications for Highways and Bridges" as currently on file in the Office of the Town Engineer and shall also conform to the Wilbraham Planning Board Standards (see Appendix E).

**5.6.5.4\***                No road pavement surfacing shall be permitted during the period from November 15 to April 1 of the following year.

**5.6.5.5\***                The finished roadway surface shall not be applied until at least one (1) winter season has passed since the installation of the binder course. The finished course shall be applied on top of a tack coat to insure proper adhesion to the base course. The finished course shall be laid hot to a minimum depth of two (2) inches if three (3) or more winter seasons have passed since the installation of the binder course.

**5.6.5.6\***                No pavement cuts shall be allowed in the finished course without prior written approval of the Town Engineer.

**5.6.6**                    **Utility Trenches**

**5.6.6.1\***                All electrical and telephone distribution wires shall be installed underground, unless in the opinion of the Planning Board such installation is not in the best interests of the Town or is impractical.

**5.6.6.2\***                All utility entrances and trenches in the subdivision shall be completed prior to the application of the finished course.

**5.6.6.3\***                A connection for each underground utility shall be installed to the edge of the street right-of-way for each house lot before the finished course of the street is installed.

**5.6.7\***                    **Shoulders (Tree Belts)**

**5.6.7.1**                All shoulders shall be graded with a minimum of six (6) inches of loam.

**5.6.7.2**                The depth of the loam shall be measured down from the top of the berm.

**5.7**                      **Tree and Planting Specifications**

**5.7.1\***                    **Preserving Existing Trees**

Existing trees in tree belts shall be preserved whenever feasible and so designated on the definitive plot plan.

**5.7.2\***                    **Size of Trees**

The diameter of the trunk, measured at the base, shall not be less than two (2) inches.

**5.7.3\*****Species**

The trees shall be primarily Sugar Maple interspersed with Marshall Ash and Linden, or such other species as approved by the Tree Warden. The location of overhead wires or obstructions shall be considered in determining the location and species acceptable to the Tree Warden.

**5.7.4\*****Placement**

Trees shall be placed so that there shall not be less than one (1) tree every seventy-five (75) feet of frontage, or fraction thereof.

**5.7.5\*****Guarantee**

Each new tree shall be guaranteed by a security deposit by the Subdivider for a period of one (1) year. Any tree deemed by the Planning Board to be unsatisfactory within one (1) year shall be removed at the direction of the Tree Warden and replaced at the expense of the Subdivider.

**5.7.6\*****Damaged Trees**

Any tree which the Planning Board designates to remain and which is subsequently damaged during construction of the subdivision shall be removed and replaced as directed by the Tree Warden and at the expense of the Subdivider.

**5.8\*****Curbs, Berms and Gutters****5.8.1\***

Bituminous concrete berms shall be installed along all street edges. Berm locations and lengths shall be shown on street plans and profiles. Bituminous concrete berms with asbestos fiber, between one and one-quarter percent and two and one-half percent (1.25% - 2.5%) by weight of mix, shall be required. Bituminous concrete berms shall be constructed with an approved berm machine. Returns shall be installed in all driveways with a three (3) foot radius.

**5.8.2\***

Dimensions and installation details of berms shall be as shown on the Wilbraham Planning Board Standards (see Appendix E).

The road surface on which the berm is placed shall be free from loose material.

**5.8.3\***

Specially constructed gutters or curbs may be required under special conditions as specified by the Planning Board.

**5.8.4\***

Granite curb type VB (5" x 16") shall be installed at all intersections, radii and all ways with throat grades in excess of six (6) percent, as specified in the "Commonwealth of Massachusetts, Department of Public Works - Standard Specifications for Highway Bridge and Water Ways", as currently on file in the Office of the Town Engineer, and other related appurtenances. Granite returns shall be used where driveways intersect granite curbs.

**5.9\*****Water Mains and Sewer Mains****5.9.1\***

Water mains, fittings, gates and hydrants shall be installed in accordance with the plan and profile as approved by the Planning Board and the Board of Water Commissioners and shall also conform to the Wilbraham Planning Board Standards (see Appendix E).

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- 5.9.2\*** A water line connection with shutoff valve shall be installed to the edge of the street right-of-way for each house lot before the finished course of the street is installed.
- 5.9.3\*** Sewer mains, manholes and appurtenances shall be installed in accordance with the plan and profile as approved by the Planning Board and the Sanitary Sewer Commission and shall also conform to the Wilbraham Planning Board Standards (see Appendix E).
- 5.9.4\*** A sanitary sewer house connection and end cap shall be installed to the edge of the street right-of-way for each house lot before the finished course of the street is installed.
- 5.9.5\*** No pavement cuts shall be allowed in the finished course without prior written approval of the Town Engineer.
- 5.10 Storm Drainage**
- 5.10.1\*** Storm drainage piping, structures and facilities, capable of sustaining a fifty (50) year storm runoff, shall be installed in accordance with design standards described in "Design and Construction Standards for Storm Water Drainage for Town of Wilbraham" (see Appendix D). The Developer shall be responsible for intercepting storm and surface water runoff from the entire portion of the drainage basin that drains to or across his/her property, and shall provide connections to existing water courses or connections to existing storm drains or installation of dry wells for ground water recharge so that downstream properties will be protected from flooding and erosion due to the concentration of storm and surface water runoff.
- Design of storm sewers, accompanied by supporting calculations showing the basis for the design, shall be submitted for review prior to final approval of the subdivision by the Planning Board and the Board of Health.
- 5.10.2\*** All storm and surface water runoff must be conveyed either to a natural water course, an existing adequate storm drain, or approved recharge dry wells. Where necessary the Developer shall acquire and convey to the Town of Wilbraham drainage easements across adjacent land, and shall install ditches or structures, capable of sustaining a fifty (50) year storm runoff, at his/her expense, to accomplish this purpose.
- 5.11\* Sidewalks**
- 5.11.1\*** Sidewalks shall be required on one side of each street intersecting those principal streets named in Appendix C and along other subdivision streets as deemed necessary by the Planning Board.
- 5.11.2\*** Sidewalks shall be four and one-half (4.5) feet in width, and shall be located between the roadway and the right-of-way line, as close to the latter as practicable, and generally parallel with the roadway.
- 5.11.3\*** Sidewalks shall be poured portland cement concrete having a twenty-eight (28) day compressive strength of four-thousand five-hundred pounds per square inch (4,500 p.s.i.). The sub-grade shall be compacted to an even, firm surface. Gravel shall be added upon the sub-grade, wetted, and compacted to a depth of eight (8) inches with a self-propelled roller of no less than one (1) ton. Stone larger than one and one-half (1.5) inches shall not be used. Upon completion of the gravel base, forms will be set to the established lines and grade. Concrete shall be poured monolithic to a thickness of four (4) inches. A dummy joint shall be scored every five (5) feet with a three-eighths (3/8) inch expansion joint provided every twenty (20) feet. At all driveways, the concrete shall be a minimum depth of six (6) inches and reinforced with four (4) inch square wire mesh or equivalent.

- 5.11.4\*** Sidewalks shall be properly sloped to meet the adjacent pavement courses for bicycles and handicapped accessibility.
- 5.12\*** **Lot Layout**
- Lots for residential use shall have frontages and areas conforming with existing Zoning By-Laws of the Town of Wilbraham. Side lot lines should be substantially at right angles or radial to street lines. Corner lots must provide frontage and building setback conformity on both streets. Each lot under construction shall have a temporary lot number sign located at the front of the lot clearly visible at all times. This expense shall be borne by the Subdivider.
- 5.13\*** **Engineering Standards**
- All final subdivision plans shall be consistent with the current Hampden County Registry of Deeds and Land Court rules prescribing requirements for the recording of plans and standards of accuracy as prescribed by the Connecticut Valley Association of Civil Engineers and Land Surveyors and the American Congress on Surveying and Mapping. Upon request, the surveyor shall submit balance sheets for the control lines of the property perimeter and street center lines.
- 5.14\*** **Standard Cross Section of Roadway**
- All road construction shall conform with the Wilbraham Planning Board Standards (see Appendix E).
- It shall be the option of the Town Engineer to require the use of granite backs with cast iron tops (Massachusetts Department of Public Works approved) in lieu of concrete catch basin tops, as shown on the Wilbraham Planning Board Standards (see Appendix E).
- 5.15** **Street Signs**
- 5.15.1\*** Street signs shall be supplied and installed at the expense of the Subdivider at all street intersections. These street signs shall be set in concrete and erected prior to the construction of the first dwelling on the street in a location and according to the standards as approved by the Town of Wilbraham Highway Superintendent.
- 5.15.2\*** In the event that it is not possible or feasible to erect permanent street signs because of conflicting construction activities, temporary street signs shall then be erected prior to said construction at the expense of the Subdivider. However, any temporary street signs so erected shall be replaced by permanent signs in accordance with Section 5.15.1.
- 5.16\*** **Retaining Walls**
- Retaining walls shall be installed where deemed necessary by the Planning Board and shall conform to acceptable engineering standards which shall include detailed plans and calculations approved by the Town Engineer.
- 5.17\*** **Soil Erosion and Sedimentation Control**
- 5.17.1\*** For the purpose of controlling soil erosion sediment damage and related environmental damage during subdivision construction, adequate provision shall be made for surface water retention and drainage and for the protection of soil surfaces exposed during construction.
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- 5.17.2\*** The top of a fill or bottom of a cut shall not be closer than ten (10) feet from an adjoining property line.
- 5.17.3\*** The Subdivider shall submit to the Planning Board for approval a Site Grading Plan for Erosion and Sediment Control as an integral part of the definitive plan (see Section 4.2.0.6).
- 5.17.4\*** Such Site Grading Plan shall be prepared by a registered professional engineer and shall contain all of the data required by the Planning Board and the Town Engineer and shall comply with any standards and requirements of the Planning Board and the Town Engineer.
- 5.17.5\*** A Site Grading Plan conforming to these requirements and to the Town Engineer's recommendations may be approved by the Planning Board only after a performance bond covering the provisions required by this Section 5.17 have been executed.
- 5.17.6\*** All necessary soil erosion and sedimentation control measures installed under this regulation shall be adequately maintained for one (1) year after completion of the approved subdivision, or until such measures are permanently stabilized, as determined by the Town Engineer or by the Planning Board.
- The Town Engineer or the Planning Board shall give the Applicant, upon request, a certificate indicating the date on which the measures called for in the approved plans were completed.
- 5.17.7\*** The requirements of this Section 5.17 shall be enforced by the Planning Board or its agent and/or the Conservation Commission, if they exercise jurisdiction.
- Failure to comply with any of the specified requirements for soil erosion control subsequent to the receipt of a building permit shall be construed to be a violation of this subdivision regulation and shall be subject to the penalties provided by law.
- 5.17.8\*** In any subdivision in which construction ceases, that is, no new foundations begun for a period of one (1) year, all piles of excess soil shall be levelled, graded and seeded or removed. All organic material and dump material shall be removed from the site, and the remaining area levelled, graded and seeded.
- 5.18\*** **Wetlands**
- Strict adherence to "The Wetlands Protection Act" (M.G.L. Chapter 131, Section 40, as amended) shall be maintained at all times.
- 5.19\*** **As-Built Plans**
- After final approval of all street construction and before final release of the performance security, one (1) reproducible original and two (2) copies of the definitive plan revised into an accurate as-built plan and profile shall be furnished to the Board. The as-built plan and profile shall show all bounds and iron pins (see section 5.5), road grades, the center line elevation of all roads at fifty (50) foot intervals, drainage lines, sewers, water mains and all other utilities and appurtenances, as actually installed with inverts and sufficient ties including depths shown as profiles for proper and accurate identification and location.